

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

IN RE:

**CASE NO.: 23-12203-amc
CHAPTER 13**

**Martin J. Woolbert,
Debtor.**

_____/

**Wilmington Savings Fund Society,
FSB, d/b/a Christiana Trust, not
individually but as trustee for
Pretium Mortgage Acquisition
Trust,**

Chapter 13

Hearing: January 2, 2024 at 11:00 am

Movant,

v.

**Martin J. Woolbert,
Kenneth E. West,**

Respondents.

_____/

ORDER OF COURT

AND NOW, this 2nd day of January, 2024, upon consideration of Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust's Motion for Relief from Automatic Stay, pursuant to [11 U.S.C. § 362\(d\)](#) and [11 U.S.C. § 1301](#), any response thereto and that it is not necessary for an effective reorganization, it is hereby

ORDERED, that the automatic stay provisions of Section 362 of the Bankruptcy Code are hereby unconditionally terminated with respect to Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust as it applies to the real property and improvements commonly known as

520 Deerfield Drive, Trooper, Pennsylvania 19403 (the "Property") and more particularly described as:

Legal Description of Collateral

ALL THAT CERTAIN LOT OR PIECE OF GROUND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED. SITUATE IN THE TOWNSHIP OF LOWER PROVIDENCE COUNTY OF MONTGOMERY AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO A PLAN OF VILLAGE GREEN, MADE BY YERKES ENGINEERING COMPANY, REGISTERED PROFESSIONAL ENGINEER, BRYN MAWR, PENNA ON NOVEMBER 7, 1966 REVISED ON JULY 17, 1967 WHICH PLAN IS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR THE COUNTY OF MONTGOMERY AT NORRISTOWN, PENNA IN PLAN BOOK NO. A 12 PAGE 50 AS FOLLOWS, TO WIT,

BEGINNING AT A POINT ON THE SOUTHEASTERLY SIDE OF DEERFIELD DRIVE FIFTY FEET WIDE, WHICH POINT IS AT THE ARC DISTANCE OF THIRTY SEVEN AND SIXTY EIGHT ONE HUNDREDTHS FEET MEASURED ALONG THE ARC OF A CURVE, CURVING TO THE RIGHT, HAVING A RADIUS OF TWENTY EWE FEET FROM A POINT OF CURVE ON THE NORTHEASTERLY SIDE OF MARTHA LANE FIFTY FEET WIDE; THENCE EXTENDING FROM SAID BEGINNING POINT AND ALONG THE SAID SOUTHEASTERLY SIDE OF DEERFIELD DRIVE NORTH 20 DEGREES 38 MINUTES 30 SECONDS EAST THE DISTANCE OF ONE HUNDRED TWELVE FEET TO A POINT, THENCE EXTENDING ALONG LINE OF LOT NO. 146 ON SAID PLAN SOUTH SIXTY NINE DEGREES TWENTY ONE MINUTES THIRTY SECONDS EAST THE DISTANCE OF ONE HUNDRED FORTY NINE AND FORTY TWO ONE HUNDREDTHS FEET TO A POINT, THENCE EXTENDING ALONG LINE OF LOT NOS 84 AND 85 ON SAID PLAN SOUTH THIRTY FIVE DEGREES TWENTY MINUTES TWENTY SECONDS WEST, THE DISTANCE OF ONE HUNDRED FORTY SEVEN AND FORTY ONE ONE HUNDREDTHS FEET TO A POINT ON THE NORTHEASTERLY SIDE OF MARTHA LANE, AFORESAID; THENCE EXTENDING ALONG THE SAID SIDE OF MARTHA LANE, NORTH SIXTY FIVE DEGREES FORTY THREE MINUTES WEST THE DISTANCE OF EIGHTY EIGHT AND SEVENTY NINE ONE HUNDREDTHS FEET TO A POINT OF CURVE; THENCE EXTENDING ALONG THE ARC OF A CURVE, CURVING TO THE RIGHT HAVING A RADIUS OF TWENTY FIVE FEET, THE ARC DISTANCE OF THIRTY SEVEN AND SIXTY EIGHT ONE HUNDREDTHS FEET TO THE FIRST MENTIONED PONT AND PLACE OF BEGINNING

BEING KNOWN AND DESIGNATED AS LOT NO 147 ON SAID PLAN BEING PARCEL NUMBER 43-00-02971-00-1

BEING THE SAME PREMISES WHICH ROBERT M. BOKUNEWICZ AND

CHRISTINA H. BOKUNEWICZ, HIS WIFE, BY INDENTURE DATED 05-06-05 AND RECORDED 05-24-05 IN THE OFFICE OF THE RECORDER OF DEEDS IN

AND FOR THE COUNTY OF MONTGOMERY IN DEED BOOK 5555 PAGE 559, GRANTED AND CONVEYED UNTO SUSAN WOOLBERT AND MARTIN WOOLBERT, AS TENANTS BY THE ENTIRETY, and it is further

ORDERED, that Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust, its successors and/or assignees be entitled to proceed with appropriate state court remedies against the property located at 520 Deerfield Drive, Trooper, Pennsylvania 19403, including without limitation a sheriff's sale of the property, and it is further

ORDERED, that pursuant to 11 U.S.C. § 362(d)(4), any future filing of a petition, involuntary or voluntary, by the Debtor, or other holder of an interest in the Property (including but not limited to: tenants, occupants, and heirs), under any Chapter of Title 11 of the U.S. Bankruptcy Code, ***within two (2) years*** from the date of entry of this Order will not impose any stay as to the Property; and it is further

ORDERED, the stay imposed by Federal Rule of Bankruptcy Procedure 4001(a)(3) is hereby WAIVED or otherwise deemed inapplicable; and it is further

ORDERED, that the Chapter 13 Trustee shall be served with a copy of the referee's report of sale within **thirty (30) days** of the report [*if applicable*], and shall be noticed with any surplus monies realized from the sale of the Collateral.

BY THE COURT



U.S. Bankruptcy Court Judge